

ATTENTION – Summarized Changes Effective January 1, 2006

Senate Bill 477 required changes:

- Public Works Bond – This is a \$30,000 bond to be filed by contractors and subcontractors with the CCB before starting work, in addition to any bid and performance bonds that are required. The purpose of the bond is to assure that the contractor or subcontractor will pay claims ordered by BOLI to workers performing labor on public works projects. The County is required to assure that any contractor it contracts with has met this requirement.
- Prevailing Wage Rate – The dollar threshold where prevailing wage is required to be paid on public works projects is raised from \$25,000 to \$50,000.
- Federal or State Prevailing Wage – On public works projects that are funded in whole or in part by federal funds a determination must be made for each category of laborer as to whether the federal or state prevailing wage is the higher wage and the higher wage must be paid.
- Additional Retainage – On public works projects over \$50,000 contractors and subcontractors are required to file certified payroll statements with the County. If these forms are not filed by the contractor, the County must retain 25% of the amount currently owed to the contractor until the forms have been submitted and then must pay this retained amount to the contractor within 14 days of the receipt of the forms. If the forms are not filed with the County by the subcontractor the contractor must retain 25% of the amount currently owed to the sub until the forms have been submitted and then must pay this retained amount to the sub within 14 days of the date the forms were received by the County.

Senate Bill 1006 required changes:

- Determination of Responsibility – In addition to making a determination of a contractor's responsibility prior to awarding it a contract the County must now provide written documentation on a form proscribed by the statute that it has, in part, determined that the contractor has a satisfactory record of performance and integrity and has available appropriate financial, material, equipment, facility and personnel resources and expertise necessary to carry out the contract. The form must be submitted to the CCB within 30 days of contract award.

House Bill 3206

- Public Improvement Contracts cannot be awarded to non-resident educational service districts.